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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

14 JOSETTE RUHNKE, an individual;
15 CINDY VERITY, an individual; on
16 behalf of themselves and all others
17 similarly situated,

17 Plaintiffs,

18 v.

20 ALLERGAN SALES, LLC, a Delaware
21 Corporation (as Successor-In-Interest to
22 SkinMedica, Inc. and doing business as
23 "SkinMedica"), and ALLERGAN, INC.,
24 a Delaware Corporation,

24 Defendants.

No. 8:14-cv-00420 DOC (RNBx)

CLASS ACTION

NOTICE OF DECISION

Judge: Hon. David O. Carter
Ctrm.: 9D

1 Plaintiffs Josette Ruhnke and Cindy Verity (“Plaintiffs”) and Defendants
2 Allergan Sales, LLC and Allergan, Inc. (“Defendants”) per the Court’s May 27, 2015
3 order, hereby provide notice of the Ninth Circuit’s decision in *Jones v. ConAgra*
4 *Foods, Inc.*, No. 12-01633 CRB, 2014 WL 2702726 (N.D. Cal. June 13, 2014),
5 *appeal docketed*, No. 14-16327 (9th Cir.):

6 1. On May 27, 2015, this Court entered an order staying this case at the
7 Parties’ request pending the Ninth Circuit’s decision in the appeal of *Jones*. (Dkt.
8 No. 101).

9 2. Pursuant to the Court’s order, Plaintiffs’ previously filed Motion for
10 Class Certification was “withdrawn without prejudice to Plaintiffs filing a renewed
11 motion for class certification and without limiting Plaintiffs to their existing motion
12 and supporting papers.” *Id.*

13 3. Also pursuant to the Court’s order, the Parties were to file a notice of
14 decision within fourteen days of the Ninth Circuit’s decision in *Jones*, together with
15 a joint statement outlining the Parties’ plans with respect to the motion for class
16 certification and other case deadlines. *Id.*

17 4. On August 14, 2017, the Ninth Circuit entered an order voluntarily
18 dismissing the *Jones* appeal with prejudice under Federal Rule of Appellate
19 Procedure 42(b).

20 5. On August 22, 2017, the Parties met and conferred via telephone to
21 discuss scheduling.

22 6. The Parties, through subsequent communication, have agreed to submit
23 to the Court a proposed briefing schedule for Plaintiffs’ motion for class certification
24 within twenty-one (21) days of the filing of this Notice.

25 7. During this 21 day time frame, the parties will evaluate any class
26 certification briefing already completed and confer with their experts regarding
27 scheduling, in order to propose schedule that serves the interests of judicial economy
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1 and will not cause prejudice to either Party.

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3 DATED: August 28, 2016

Respectfully Submitted,

4 HAGENS BERMAN SOBOL SHAPIRO LLP

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18 I, Christopher Pitoun hereby attest, pursuant to C.D. Cal. Local Rule 5-
19 4.3.4(a)(2)(i), that the concurrence to the filing of this document has been obtained
20 from each signatory hereto.
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